

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00174

Aloysius Murray,
Plaintiff,

v.

Sheriff Fleharty, et al.,
Defendants.

ORDER

On April 1, 2020, plaintiff Aloysius Murray filed this civil rights action. Doc. 1. This case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. Doc. 3.

After conducting proceedings in the form and manner prescribed by 28 U.S.C. §§ 636(b)(1) and (3), Judge Love issued a report and recommendation that the complaint be dismissed without prejudice for failure to state a claim upon which relief may be granted. Doc. 17. The report acknowledged that despite being given an opportunity to amend his complaint, the plaintiff failed to include specific facts concerning the personal involvement of either Sheriff Fleharty or Anderson County. *Id.* The plaintiff filed a document styled as a “response to court[,]” but his filing did not mention the report or address either of the named defendants in this lawsuit. *See* Doc. 18.

When a party objects to a magistrate judge’s report, but it is unclear which, if any, portions of the report are objected to, the court will review the record only for clear error. *See Nettles v. Wainwright*, 656 F.2d 986, 987 (5th Cir. 1981) (“It is reasonable to place upon the parties the duty to pinpoint those portions of the magistrate’s report that the court must specially consider.”)

Finding no clear error in the report, the court **accepts** the magistrate judge's findings and recommendation. This action is **dismissed without prejudice**. Any pending motions are **denied** as moot.

So ordered by the court on October 20, 2020.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge